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## FACSIMILE TRANSMITTAL SHEET

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**FIRM/COMPANY:** USPTO

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TELEPHONE:**

**FROM:** Gary D. Colby

**DIRECT DIAL:** 215.979.1849

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**OFFICIAL**  
**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In Re**  
**Appln. of:** Eugene Roussel**Serial No.:**  
09/756,978**Filed:** 9 January 2001**For:** Therapeutic Modulation of the Tumor  
Inflammatory Response**Group Art**  
**Unit:** 1642**Conf. No.:** 6809**Examiner:** Misook Yu**Atty Docket** E0631-00001  
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**APPLICANT'S INTERVIEW SUMMARY**

This Summary is filed to comply with the Applicant's responsibility, pursuant to 37 C.F.R. §1.133(b) to provide a complete written statement of the reasoning presented during the telephone interview conducted on 20 May 2004 with respect to the patent application referenced above.

On 20 May 2004, Applicant Eugene Roussel and his representative, Gary D. Colby conducted a telephone interview with Examiner Anthony Caputa, beginning at about 11:00 a.m. The interview continued until shortly after 11:30 a.m.

**Exhibits and Demonstrations**

No exhibits or demonstrations were presented during the telephone interview.

**Claims Discussed**

Rejections pertaining to all claims were discussed.

**Prior Art Discussed**

The Lee and Tannenbaum references (of record) referred to in Paper No. 27 was discussed briefly. No other specific prior art was discussed substantively.

Proposed Amendments

The Applicant proposed no amendments to the claims or specification.

Principal Arguments Presented

The Applicant disclosed to Examiner Caputa that all of the claims recite local administration to a tumor in a human of:

1. An antigen-releasing agent
2. A leukocyte attractant
3. IFN-g and
4. A second type 1 inflammatory response- (IR1-)promoting agent.

The Applicant briefly recounted the arguments and counter-arguments set forth by the Applicant and Examiners during the 18 May 2004 personal interview with Examiners Yu and Chan.

Other Pertinent Matters Discussed

The Applicant expressed to Examiner Caputa that the Applicant believed that arguments presented during the interview with Examiners Yu and Chan on 18 May 2004 overcome all of the claim rejections. The Applicant expressed that he could not understand why the patentability of the claims in his application was being denied by the Examiners.

From the telephone conversation with Examiner Caputa, the Applicants understanding was that Examiner Caputa understood and found persuasive the logic of the Applicant's arguments with regard to the pending rejections and that Examiner Caputa suggested that another interview among Examiners Yu, Chan, and Caputa and the Applicant might be necessary for full consideration of the issues raised by the Applicant. Representative Colby volunteered to coordinate scheduling of a personal interview among these individuals.

The Applicant agreed to an additional interview based on the Applicant's understanding that the claims in the present application might be allowed during that interview, if the Applicant's arguments were considered by the examiners to overcome the present

rejections. Based on the telephone interview, the Applicant understands that the claims would be allowed if the Examiners' rejections were found to be wrong after considering the arguments of both the Applicant and the Examiners.

Examiner Caputa accepted the suggestion that it would be helpful if the Applicant's Interview Summary corresponding to the 18 May 2004 interview with Examiners Yu and Chan were forwarded to his attention in addition to being forwarded to Examiner Yu. The Applicant agreed to do so.

Outcome of the Interview

No substantive decisions were made regarding patentability. Representative Colby will coordinate arrangements for a personal interview at the Patent Office among Examiners Yu, Chan, and Caputa and either or both of Applicant and Applicant's representative.

This Summary is accurate to the best recollection of the undersigned Applicant.

Respectfully submitted,

**Eugene Roussel**

By: 

**Gary D. Colby, Ph.D., J.D.**

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21 May 2004  
(Date)